



E. Evans Wohlforth  
Director

Gibbons P.C.  
One Gateway Center  
Newark, NJ 07102-5310  
Direct: 973-596-4879 Fax: 973-639-6486  
ewohlforth@gibbonslaw.com

August 27, 2020

**VIA ECF**

Hon. Esther Salas, U.S.D.J.  
United States District Court  
District of New Jersey  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street, Room 5A  
Newark, New Jersey 07101

**Re: *Advanced Gynecology and Laparoscopy of North Jersey, P.C., et al. v. Cigna Health and Life Insurance Co., et al.*, No. 2:19-cv-22234 (ES) (MAH)**

Dear Judge Salas:

This law firm represents Defendants Cigna Health & Life Insurance Company and Connecticut General Life Insurance Company (together, "Cigna") in the above-captioned lawsuit.

Pursuant to *J.S. v. Harrison Twp. Bd. of Educ.*, 2016 WL 4430929 (D.N.J. 2016) (Bumb, J.), Cigna respectfully requests leave to bring to the Court's attention two recent decisions by Judge Gonzalez Rogers of the United States District Court, Northern District of California, granting motions to dismiss in *Pacific Recovery Solutions, et al. v. United Behavioral Health, et al.*, No. 4:20-cv-2249-YGR, Dkt. No. 61 (N.D. Cal. Aug. 25, 2020) and *L.D., et al. v. United Behavioral Health, et al.*, No. 4:20-cv-02254-YGR, Dkt. No. 55 (N.D. Cal. Aug. 26, 2020). Those cases involve similar allegations and causes of actions concerning another payor's use of Viant, Inc. to price out-of-network claims, and Cigna believes that these decisions are relevant to Cigna's pending Motion to Dismiss the First Amended Complaint (Dkt. No. 49). Copies of those decisions are attached as Exhibits A and B for the Court's convenience.

If the Court approves this request, Cigna respectfully requests that Your Honor so-order this letter. We thank Your Honor for your kind attention to this matter. Please do not hesitate to have the Court's staff contact me with any questions or concerns about the foregoing or if we can be of any service to the Court whatsoever.

GIBBONS P.C.

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Respectfully,

*s/ E. Evans Wohlforth, Jr.*

E. Evans Wohlforth, Jr.

cc: All Counsel of Record (via ECF)